

STATEMENT OF FACTS,

ILLUSTRATING

THE ADMINISTRATION

OF THE

ABOLITION LAW,

AND THE

SUFFERINGS OF THE NEGRO APPRENTICES

IN THE

Island of Jamaica.

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STATEMENT OF FACTS,

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A WARM feeling of interest has begun to manifest itself in the public mind, relative to the present condition of the negro population in the West India Colonies. Hitherto a very general impression had prevailed that the question had been fairly set at rest; that slavery had been utterly abolished; and that the negro was quietly and contentedly enjoying the blessings of that freedom for which the British nation had sacrificed the vast sum of twenty millions sterling.

True, a feeling of doubt and suspicion did occasionally obtrude into the minds of the anxious friends of the negro, by the reception from time to time of information of a painful character; but that information was neither sufficiently ample nor continuous in its details to create serious or lasting uneasiness; and the public generally were led to believe that although occasional instances of oppression and injustice did occur, yet they were but isolated cases, forming an exception to a general rule; and that on the whole the system of negro apprenticeship was proceeding as satisfactorily as, under the circumstances, could have been reasonably anticipated.

This delusion, so fatal to the interests and the welfare of the unfortunate negro, is now being dispelled. A vast mass of unquestionable facts have been collected from nearly all the West India colonies, showing the true character of the apprenticeship scheme, and proving in the clearest manner, that slavery has but changed its name; that the rights conferred on the negro by the Abolition Act have been basely trampled under foot; and that he is still groaning under a load of accumulated wrongs and sufferings which have rendered his present condition, in no material respect,

superior to that from which he had professedly been relieved.

It is particularly desirable that the public should be promptly supplied with specific and authentic information on this interesting subject. We have in our possession such an overwhelming abundance of materials, that the very amplitude of our resources creates some difficulty in making a selection. The following details, however, respecting the island of Jamaica will give the reader a summary view of the whole system, and will at the same time exhibit, in the most lively colours, the precise state of party feeling, and the deliberate sacrifice of principle made by the official authorities, for the purpose of throwing a veil over the atrocities of the system, and preserving the delusive and treacherous appearance of tranquillity in the colony.

We proceed to narrate the facts which occurred in the parish of St. Thomas-in-the-Vale, in Jamaica, between the 1st of July, and the 1st of November 1836: they are compiled from documents, a great part of which have already obtained publicity through the planters' own press, in the island.

It would appear that up to the middle of last year, St. Thomas-in-the-Vale was in a state of profound repose, and that the apprenticeship system was working *most satisfactorily*—to the planters, that is, Slavery had never been abolished, the despotism and tyranny of the planter had remained uncurbed and unrestrained by any exercise of judicial authority, and the poor negroes had not only been coerced into abject submission, but into death-like silence.

About this period, the Marquis of Sligo disturbed this seeming tranquillity, by the removal of one of the magistrates who had been giving such universal satisfaction to the planters. The person removed—a Mr. Jones—affords a fair specimen of a favourite magistrate. He had taken up his residence with an overseer on one of Sir Alexander Grant's estates, where he lived at little or no expense. He was habitually in a state of beastly intoxication, and in order to indulge in that unhappy propensity, which, in fact, eventually destroyed him, he was constrained to make himself the subservient tool of every unprincipled overseer in the district. One example of this will suffice: On the property at which Mr. Jones had taken up his residence, the overseer had taken offence at a poor old watchman, and one morning he brought him before Mr. Jones, and preferred some very frivolous charge of neglecting his watch. The man clearly proved his innocence, and begged the magistrate not to punish him. Jones, not having yet steeped his senses to the requisite point of unconscious-

ness, turned to the overseer and said, "Mr. Werger, I cannot punish this man; he has done nothing wrong; you must forgive him." The overseer replied, "I cannot let him off; I insist on his being punished." This was enough: Jones, addressing the old man, said, "Well, you see, my good fellow, I cannot help you, Busha will have you punished," and he was forthwith sent for three days to the house of correction at Rodney Hall.

The magistrate who was appointed by Lord Sligo to succeed Mr. Jones was Dr. Palmer, who is now in this country, and whose name we cannot better introduce than by giving a short extract from a letter sent by one of the most humane and intelligent of our missionaries to a gentleman in London.

"I write at present to recommend to your notice Dr. Palmer, the well-tried friend of the poor negro. As a Special Justice he has acted a just, prudent, and determined part, for which he has been twice suspended—once by the Marquis of Sligo, and now by Sir Lionel Smith, our present lieutenant-governor. A regular conspiracy was formed against him among the planters, and they succeeded too well with the Executive.

"Dr. Palmer has thought that he can best advance the cause of humanity by repairing to England, and there making known, as opportunities may offer, the real state of things in this colony, and I am fully convinced that no man whom I know is better able to place in its true light the deceitful measure of the apprenticeship than he."

Dr. Palmer's appointment seems to have given rise to a good deal of excitement among the planters who were unable to conceal their dread and dislike at the prospect of being brought into contact with one who had already rendered himself notorious by his determined and uncompromising resistance of negro oppression.

Shortly after his arrival in the parish, the feelings of the parishioners on this head were expressed in a very characteristic manner.

At the parochial court of Quarter Sessions, the gentry composing the grand jury, at the close of their sitting, made a formal presentment to the court, denouncing the Special Justice of the parish as an "*intolerable nuisance*," and in the same document they expressed their warm respect and esteem for the removed stipendiary, Mr. Jones!

Although the planters were unable to prevent the appointment of an unpopular magistrate, they sought to obtain his exclusion from the parish by preventing his obtaining a residence in the district, and he was for a time compelled to take up his abode with his colleague, Special Justice

Harris, who had been permitted the occupation of a scarcely habitable building on one of the estates. But no sooner did the attorney of the estate, Mr. John Blair, hear of this arrangement, than he issued a peremptory order for the whole of the parties to evacuate the premises forthwith, and directed the overseer to take the gang on the following Monday, and strip off the roof of the house, as a means of expediting this measure of summary ejection.

Mr. Harris, it appears, during the twelve months he had been in office, had, like Mr. Jones, been giving *great satisfaction* by his mode of administering the law; of which some painful evidence was afterwards brought to light. But after being in contact for a short time with his new colleague, he became a reformed character, or, as the planters termed it, "his principles became corrupted," and he henceforth stood forward as the firm, though not perhaps, at all times, the prudent, advocate of impartial justice to the negro.

The apprentice population were in a state of great unhappiness. They carried in their countenances the traces of the deepest dejection, and long suffering. Nearly every vestige of their legal rights had been trampled under foot; the planters had been allowed the most absolute control: and such was the uniform want of protection the negroes had experienced—and their dread of magisterial interference, that in the event of any attempt to resist, even the most palpable infringement on their rights, the planter had only to threaten to send for the magistrate, and all resistance immediately ceased.

In point of physical comfort, the people were decidedly in much worse condition than in slavery. The hours of labour were fixed at the sheer caprice of each manager: field labour almost universally commenced before sunrise, and terminated at dusk, with one interval in the middle of the day, usually about one hour and a half: yet the planters called this "*the eight hours' system!*"

On most estates, the apprentices had wholly been deprived of the Fridays; and a large proportion of their Saturdays had been taken from them by the magistrates, to satisfy the rapacious demands of the planters, on the ground of neglect of duty; and there is every reason to believe, that the greater part of such charges were either entirely fraudulent or dishonestly exaggerated.

Saturday being the only day in the week allowed to the apprentice to procure his food, and keep up the cultivation of his provision grounds, the deprivation of so large a proportion of his time had reduced him, in a great number of instances, to the very verge of starvation; and the

greater part of the provision grounds were rapidly falling out of cultivation.

The people had been systematically defrauded, in the contracts for extra (night) labour in crop: field-cooks and water-carriers had been withdrawn; mothers of families were denied time to attend to their children; those with young infants were allowed no nurse to take care of them while at work in the field—and were thus often compelled to work with their children strapped to their backs; and even when rain came down in torrents, they were obliged to remain in the field with their infants exposed to it. The sick were not only utterly neglected, but the hospitals were converted into loathsome prisons;—where the sick were kept in close confinement, without being fed, or the smallest attention being paid to their comforts.

Added to this, the dreadful punishments by flogging—by the tread-mill—by hard labour in chains—by solitary imprisonment in dungeons—and by heavy mulcts of their own time, had been so frequent, and so inevitably followed every accusation of the planters, that the poor apprentices were constrained to submit in silence to every injury, and comply with every demand, however iniquitous, that was made by their masters.

Such was the state of things in the Parish of St. Thomas-in-the-Valé. Yet the system was said to be working well—that the apprentices were *quiet*, and therefore *contented*. That the system was *working well* for the planters, according to their way of thinking, and that they were satisfied with the power they enjoyed, may readily be admitted; indeed they had very little to regret in the loss of slavery. But the negro was neither ignorant of, nor insensible to, his manifold wrongs. A deep-seated sense of injury was rankling in his mind. But he endured his sorrows without a murmur of discontent. Dear-bought experience had taught him the utter uselessness of making complaints; and he found it safer to submit to every exaction of his master, rather than run the risk of an unsuccessful appeal for redress; for, though he might escape additional wrong at the hands of the magistrate, he never failed to incur additional persecution at the hands of his master.

This, then, was the true source of the quiescent state of that district which the parishioners afterwards complained had been disturbed. The spirit of the people had been thoroughly subdued; they had for a season struggled for their rights, but every attempt was not only defeated, but exposed them to such severe punishment on the ground of being insubordinate, that they at last ceased to complain, and sank into a state of sullen apathy.

But no sooner did they find that a deaf ear was no longer

turned to their complaints that they were at all events listened to, if not redressed, than day by day instances of the injustice, the oppression, and the cruelty they had so long been suffering under, were brought to light. Scarcely an estate was visited without the magistrate's sympathies being excited, and his indignation aroused by some of these harrowing recitals.

At Rodney Hall, crowds of apprentices, averaging from two to three hundred, thronged to the court house every Saturday to detail their grievances. These details were made in the open Court House, in the presence of the assembled planters. In this manner, a sort of publicity was given to the misdoings of individuals; and so offensive did these exposures at length become, that in order to abate the nuisance, the local justices and vestry came to a resolution, that in future the special magistrate's courts should not be held in the Court House at Rodney Hall.

So long as these courts were confined to the adjudication of the planters' complaints, so long was every facility and every accommodation afforded; but no sooner was it attempted to render the Court House the theatre of equal justice, by allowing the negro to participate in the right of preferring his complaints, than the doors were closed.

Rodney Hall had been the favourite resort of the overseers on Saturdays:—there they congregated in numbers, obviously for the purpose of intimidating the irresolute magistrate—or, as it is called, "*keeping the magistrate in order.*" Here points of the Abolition Act were settled among themselves, and their general plans of operation organized by common consent. All offences of the negro, which the planter deemed of a graver cast, were reserved for trial in these courts, in order that a more public and terror-striking example might be made of the hapless delinquent. In fact, so frequent and severe were these punishments, that, to use the words of a witness, "*Rodney Hall, on Saturdays, was like a hell upon earth!*"

The justices and vestry alleged, as their reason for excluding the Special Magistrates from the Court House, that their own proceedings in the other part of the building were interrupted by the voice of a concourse of negroes attending the Special Magistrates' court.

It is worthy of remark, that the punishments, so extensively inflicted on Saturdays, previous to this period, had taken place within three or four yards of the Court House; and the cries and groans of the wretched females who were undergoing the torture of the treadmill, and the agonizing shrieks and supplication for mercy, issuing from the prostrate victim who was writhing under the laceration of the whip, were distinctly audible to the magistrates and vestry,

when so assembled ; yet of this, it appears, that no complaint was ever made by them. But the plaintive and noiseless appeals for justice, by the injured apprentice, appear to have been highly offensive to the feelings of these gentlemen.

We find, by the documents before us, that Dr. Palmer at first sought to conciliate the planters, by privately and courteously suggesting the abandonment of some of the more prominent of their oppressive regulations. He was, however, unsuccessful ; the planters were deaf to every suggestion of voluntary change ;—they were wedded to the system which had been adopted by common consent, and with the sanction of previous magistrates, and were unwilling to give up the smallest particle of that power which they had so scandalously been permitted to usurp over the apprentices.

It occurs to us, that in order to convey some idea of the working of the apprenticeship in St. Thomas-in-the-Vale, under the dispensation of some of the previous magistrates, it would be well here to introduce a few striking examples, which we have selected from the mass of documents before us.

Jane Grey, of Mount Pleasant, when between seven and eight months advanced in pregnancy, was taken before Mr. Jones, and charged with refusing to work in the *great gang*. He sentenced her to twenty-four hours' solitary confinement in the workhouse dungeon. She was sent to Rodney Hall—a distance of about ten or twelve miles, where she underwent her sentence ; she was kept in the cell without a morsel of food, and was indeed nearly thirty-six hours without tasting any. After enduring this punishment, she was again ordered to the great gang ; but on her appealing to the *medical attendant*, he directed that she should work with the children's gang. One day, whilst at work, heavy rain came on, and she and the children sought shelter in the watchman's hut. After being there about an hour, the overseer heard of it, and sent to turn them out to their work, although it was still raining heavily ; and to recompense himself for the one hour's absence, he ordered the whole gang to work the whole of the following Saturday. This they did, with the exception of Jane Grey ; and for her refusal, she was, on the Monday morning taken to Rio Magno, before Mr. Jones, to be punished for her disobedience. Whilst being tried on this charge, she was seized with the pains of labour, and was nearly bringing forth her first child in Mr. Jones's presence. She had just time to reach home, when she was delivered, and eight days after that the child was dead.

Isabella Douglas, of Berry Hill plantation, in the course of a deposition she laid before Dr. Palmer, made the follow-

ing statement.—That soon after the 1st of August, the people were ordered to be put on the eight hours' system, and to lose their Fridays. But, being a jobbing gang, often working at a great distance, and having to return home at the end of each week, they said they could not do without the Friday; they therefore refused to comply with the order given, and took the first Friday that was due to them after such order was given. The overseer sent for Messrs. Jordan and Cocking, Special Magistrates, who ordered most of the men to be severely flogged by the police, and sent several of the woman to different houses of correction. She (Isabella Douglas) was sent, along with a girl named Harriett, to Buff Bay workhouse, in St. Georges. The girl, Harriett, was far advanced in pregnancy, yet she was sentenced to five weeks hard labour! Shortly after her return from this punishment, she was delivered of a dead child; and within one fortnight after that, poor Harriett herself was a corpse!

Sarah Murdoch, an apprentice to a Mr. Johnson, of London Ridge, has had six children, all of whom are dead. In the middle of 1835, she was again pregnant, and was very sickly with it. She applied to be excused from labour, but was refused. Her master demanded equal work from her as from the rest of the gang. When advanced to the seventh month, she went one Saturday to her husband's house, on New Hall Estate; was there taken ill with a severe bowel complaint, which confined her for several days, and left her very weak. She now determined, on account of being unable to work, to remain at her husband's house, as she was sure her master would be tormenting her to work. She remained there three weeks, and was then sent for by her master, and, under the charge of a plantation constable, was sent before the Special Magistrate, Mr. Jones. Her master did not appear in person; he simply sent a letter containing his charge against her. Mr. Jones, notwithstanding the woman was then eight months gone in pregnancy, sentenced her to fourteen days hard labour in the workhouse, and to work upon the treadmill, morning and evening.

On the fourth morning, immediately after coming off the mill, whilst standing with the rest of the penal gang, men and women, together with the officials of the institution, she suddenly gave birth to an infant, which fell to the ground dead. The driver was at the time "cutting and slashing" at the people, to drive them out to their work, and was about driving this poor woman, he not having seen what had happened. But the supervisor coolly called out, "No, that woman will not be able to go out after that;" and, turning to her, he said, "Be off with you, be off to the hospital." The woman replied, "Massa, me cant lef my dead pickaninny on the ground so." To this appeal no

attention was paid, and the supervisor left the place. She then, ill as she was, took a hoe, made a small hole in the workhouse yard ; and, with the hoe, drew her dead infant into its shallow grave, and covered it with earth. For three weeks after that she lay dangerously ill.

This horrible statement was corroborated in all its particulars on the oath of an eye witness, named Henry Lyon, attached to Mickleton Plantation.

On Muse Plantation, the proprietor, Mr. M'Intosh, brought a charge against his whole gang, before Mr. Jones, the Special Magistrate, for insufficient work having been done. Mr. Jones, for this single charge, sentenced the whole body of apprentices, to forfeit seventeen alternate Saturdays. That sentence would deprive the people, during upwards of eight months, of one half of the means of obtaining their food.

Mr. Thomas Baynes, the Special Magistrate, on one occasion, sentenced an apprentice, on Treadway's estate, to forfeit no less than two hundred and sixty alternate Saturdays—extending the man's punishment over a period of ten years !

A gang of apprentices, between forty and fifty in number, were attached to a small coffee plantation, called Golden Grove. The proprietor wished to dispose of this property ; and, in order to effect a more lucrative bargain, determined on selling the land and the labourers separately. The law imperatively forbids the removal of predial attached apprentices, unless to a property *belonging to the same owner*. The law in this case, however, was entirely disregarded. The apprentices were sold to Rio Magno, the property of Sir Alexander Grant ; and the lands disposed of to a thirdperson.

A mockery of form was observed in this case, by two Special Magistrates certifying to the propriety of this scandalous sale of human beings. Mr. Jones pretended to institute an inquiry into the manner in which the comforts of the apprentices would be affected by the transfer. But although, without a single exception, the whole of the apprentices loudly protested against the removal ; they were, through the instrumentality of the lash and the treadmill, compelled to yield obedience. Mr. Harris's name appears on the face of the certificate, along with that of Mr. Jones. Mr. Harris, however, had never been upon the estate, or made the slightest personal inquiry into the circumstances, but relied upon the word of his worthy colleague. Thirteen of this gang were cruelly punished, as an example to the rest ; and this, together with the presence of the police, eventually overawed them into compliance.

They were to be permitted to retain the temporary use of their grounds on Golden Grove, until able to support them-

selves from new grounds at Rio Magno. The people, however, never having given their assent to the removal, continued to occupy both their houses as well as their grounds on Golden Grove. But in the beginning of September, as a means of entirely dis severing the poor people from their peaceful homes—the birth-place of a large proportion of them—their houses on Golden Grove were wantonly and maliciously *set fire to*, and several of their hogs at the same time killed. *Twelve houses were thus destroyed in one day!* This was done at the instigation of the overseer of Rio Magno. And not only was it allowed to pass without the smallest penalty, but without even the slightest expression of disapprobation from the official authorities!

Prior to this event, these poor people had been enjoying a greater share of comfort, than almost any apprentices in the district. They were now reduced to a state of the deepest misery. Several of them had accumulated small sums of money, and offered to pay down the purchase-money of their term of apprenticeship, rather than undergo this removal. Although Sir Alexander Grant's agent bought this lot of human cattle at about £25 or £30 each, yet, when the poor broken-hearted creatures wished to become the purchasers of themselves—of their own flesh and blood—what was the sum demanded from them to remunerate their new master, Sir Alexander Grant? The three following items will answer the question. John Lowe was valued for £69. 16s. 3d.; Rebecca Barnett was valued for £83. 15s. 7d.; Lewis Beckford was valued for £92. 8s. 11d.!! Such were the sums demanded from these wretched people, a few weeks after the infamous and illegal bargain had been effected by Mr. Joseph Gordon, the agent of Sir Alexander Grant! The valuations were made under the superintendence of the unprincipled stipendiary, who was residing on Sir Alexander Grant's estate! It is almost superfluous to say, that not one was able to meet these iniquitous demands. They are, consequently, remaining in bondage; and all the little money that they had been collecting together for years, they have been obliged to expend in procuring the common necessities of life, since this cruel wrong has been inflicted upon them. It seems that Dr. Palmer refused to recognise these people as attached to Rio Magno, on account of the illegality of the transfer: this was one of the complaints preferred against him to the Executive!

A very similar case, respecting a small gang of apprentices belonging to a Mr. Thomas Jordan, who possessed a small mountain settlement in the parish of St. Ann's, must next be noticed.

Mr. Jordan died at the beginning of last year, and left a Mr. Jonathan Brown as his executor. Mr. Brown, shortly after the death of Mr. Jordan, thought proper to sell these apprentices, although they were also predials attached. He sold them to Dr. Ewart, of Saint Thomas-in-the-Vale, who forthwith ordered them to remove to his estate, River Head, a distance of thirteen or fourteen miles from their late master's residence. The people refused to remove; and one of the head men was sent to the workhouse for fourteen days, by Special Justice Harris. A body of police were sent up to the property, and they took the remainder of the gang into their custody, and forcibly conveyed them to River Head, where they are working to the present day.

For the whole number, consisting of fourteen men and women, with some children, there was only one hut at River Head, and that in an unfinished state. Francis Hinds, the man who had been in the workhouse fourteen days, was obliged to take up his quarters in the hot-house, where he had to submit to be locked up each night, along with the sick people. The apprentices had no grounds, nor any means of subsistence, on River Head; and were not provided for in any way by the proprietor. They were compelled to return home to their former grounds on Saturdays, and to return on Monday to work on River Head Estate. It took them half the Saturday to return home; and they were consequently obliged to collect their food in their grounds on the Sunday.

Julianne Morrison, one of the above gang, was a non-prædial. She had never been accustomed to field labour. From her childhood she had been a house domestic; and had been living with her master; and had a child by him, now three years old. About the middle of 1835, her master had a quarrel with her, and sent her into the field, which was clearly contrary to law. This woman was sold along with the rest of the gang, and compelled to work at digging cane holes, and other estate's work, on Dr. Ewart's property. She was constrained to carry with her her young child—a fine little mulatto girl, who had to share all her mother's hardships; yet this same child, by the will of its father, on its coming of age, is destined to become the owner of Jordan's Estate. It was the express direction of the testator, that the child should be properly supported and educated during its minority. The conscientious executor appears, however, never to have given one farthing from the testator's estate towards its support; and has even sold a colt, which had been expressly bequeathed to the child in the father's last will and testament. The child is totally dependent on the mother for meat, drink, and rai-

ment ; and that mother is toiling in Dr. Ewart's cane fields : and, as that gentleman, in open contravention of the law, has thought proper to convert her into a "field labourer," she will be kept in slavery—aye, in cruel, grinding slavery, for two years beyond the period fixed by the law, as the extreme term, for those of her class.

This Dr. Ewart, it appears, is one the leading local magistrates of the district ; but the commission he holds seems to be no bar to his engaging in transactions as morally wicked as they are legally unjust.

But is there no chancellor in Jamaica, to take in charge the interests of the poor little orphan ? or is the executor to be permitted to appropriate the child's estate to his own benefit ?

What a revolting picture of human depravity do the whole of these details present to our minds ! We fear, alas, that the whole frame-work of society, in Jamaica, is corrupted to the very core.

But to resume our account of recent events. It appears that Dr. Palmer's attempts at conciliating the planters, being frustrated by their determination to have nothing but their own law, and he being thus thrown back on his own resources, he had recourse to what he calls "*the negative principles of the Abolition Act*;" that this, instead of peremptorily insisting on the reform of abuses, and fining for non-compliance, which, no doubt, would have led to endless litigation, and perhaps successful resistance, he contented himself by simply withholding any judicial support to those abuses. He declined inflicting punishments, for such imputed offences as clearly arose out of the existence of regulations, which were decidedly as illegal as they were oppressive and unjust.

By this simple and silent process, it will be apparent that a magistrate would be able to check, if not entirely remove, most of the general evils in practice. It would gently and gradually compel the planters themselves to alter their regulations. For example, an apprentice leaves his work in the field to procure a drink of water, in consequence of no water-carriers being allowed to the gang. For this he is brought before a magistrate, and charged with insubordination, and absence from duty. The magistrate decides by dismissing the complaint, on the ground that he was absent with reasonable cause. The next day each of the gang leaves the field to obtain water, and thus it is rendered absolutely necessary for the manager, in self-defence, to appoint water-carriers ; as he will find it less inconvenient, and less expensive, to keep one elderly woman at such employment, than to permit each of the apprentices to become his own water-carrier.

The same principle was applied successfully to the subversion of the odious eight hours' system, which will be best illustrated by reference to a specific case.

On Tullock Estate, the eight hours' system had been all along observed; from one year's end to the other, no Friday had been allowed. On two occasions, during the preceding two years, the people, it appears, had "broken out," as they called it, and taken a Friday each time. They had been brought before the Special Magistrate; and, in addition to the usual forfeiture of their own days, several severe examples were made of a portion of the gang, by corporal punishment, and the treadmill. In the month of August last, this gang, for the third time, tried the experiment of forcing the manager into the nine hours' system. They "broke out," and took a Friday. On the following day, the overseer took six of the gang, whom he had confined in the dungeon since the preceding night, and conveyed them before the Special Magistrate, at Rodney Hall. The Court House, as usual, was crowded with overseers. The six delinquents were put forward, and charged with insubordination, by taking the Friday. The overseer had selected these six to be made the usual example of; and, as to the rest of the gang, he should be satisfied with the mere forfeiture of some of their Saturdays.

In their defence, the people urged the extreme hardship of their lot. They were not only deprived of Friday, but so many Saturdays had been taken from them, that their grounds were gone to ruin, and they were starving. The magistrates, in their decision of the case, instead of ordering each of the men thirty-nine lashes, and each of the women fourteen days' hard labour, with the treadmill twice a day, in the workhouse; and, to repay those days so taken, to punish them by the forfeiture of alternate Saturdays, such being the usual mode of enforcing the eight hours' system, they simply pronounced the following sentence: "For absence from labour on Friday last, the defendants to work two hours extra each day, for five days."

The importance of this decision was manifested by the aghast looks of the assembled planters: it virtually gave the death-blow to the eight hours' system in St. Thomas-in-the-Vale; for the apprentices would willingly give ten hours' labour per day, in place of nine, rather than be deprived of his alternate Fridays. Other gangs followed the example, and cheerfully paid ten hours' labour, for the eight hours and a half due, by taking the Friday.

It will readily be perceived that this was a mode of dealing with the planters' tyrannical arrangements which was quite irresistible:—An overseer might say, "I will not alter

my hours of labour;" "I will not give cooks or water carriers to the gang;" and "I will not provide a nurse for the infants whose parents are at work in the fields." The planter might say all this; but on the other hand he had no means of compelling the magistrate to inflict punishment for the non-observance of these regulations;—If, in consequence of the planter refusing to help the apprentice, the apprentice helped himself, he could not force the magistrate to avenge the pretended fault, by the infliction of thirty-nine lashes. No wonder then, that those who had pre-determined to maintain in its pristine purity the despotism of slavery under the name of apprenticeship, should have felt so much alarm at finding their licentious power gradually receding from their grasp.

We feel no surprise at the excitement which arose—the conspiracies which were formed—and the clamorous appeals which were made by the planters to rid themselves of this "*Intolerable nuisance*." As usual, they talked loudly about "*Insubordination and rebellion*," but Lord Sligo, it seems, turned a deaf ear to their idle and malicious fabrications; as he, no doubt, knew well enough that the apprentice population were peaceable and orderly, and that there was nothing to apprehend in the way of rebellion except from the turbulent planters themselves.

We find a great number of incidents detailed at considerable length in the papers before us as having occurred at this juncture; and as they appear to have given rise to a great deal of discord, and formed the ground-work of certain subsequent proceedings, of a very singular character, we proceed to lay before our readers a few of the most striking of these cases; we transfer these facts to our pages nearly in the words in which we find them in the documents before us.

Early in the month of July last year, the Special Magistrates were furnished from the governor's secretary's office with a *reprint* of the Act in Aid, which had expired on the 31st December. In the title page of this new act it stated, "As revived by an Act of the Legislature of Jamaica, which passed on the 30th May, 1836." On the face of it this was a re-enactment of an expired law, reviving and renewing each particular clause. The planters, however, declared that there was one section, which, although *re-inserted* in the new act, was *not revived*—it was the 25th clause, declaring the 1st of August, next ensuing, to be a holiday. The planters, of course, cannot endure any commemoration of that fatal day. The magistrates deemed the clause equally as binding as any of the others: and on the Saturday preceding the 1st of August, when the question was put to them by both planters and apprentices, as to whether

the 1st of August was to be considered in the light of a holiday or not? They distinctly declared it to be so, and directed the apprentices to take the day.

In defiance of this judicial declaration, several of the planters determined to withhold it. They gave orders to their gangs to turn out to work on the Monday morning; the people refused, alleging that they had been told by the magistrate that it was their legal right, and by that authority they would be guided. Some of these planters afterwards brought their gangs before the magistrates to be tried, and punished for thus acting in accordance with the magistrates' own directions. The planters affirmed that the negroes had no right, under any circumstances, *to disobey an order*, that if the order were illegal—if they, the planters, deprived them of a day, that belonged to them, they should have complained to the magistrate, who might have imposed a fine for the wrong if he liked! The magistrates refused to admit this arbitrary mode of reasoning, and observed that, their fining the planter would be no redress to the aggrieved apprentices; that the day being appointed by law a holiday, they were quite justified in obeying the law.

This affair was afterwards produced by the planters as a decisive proof of *insubordination* amongst the apprentices, and of the magistrates encouraging disobedience of orders!

The next case is as follows:

Information had been lodged before the two magistrates, by various apprentices belonging to Recess Plantation, to the following effect:—That the dungeon for confining delinquents, and the hospital for the sick, were one and the same place—that it was a damp cellar under ground, without window, without flooring, without privy, and with nothing but the bare ground to lie upon;—That it, moreover, contained a place of torture called “A coffin case,” which had been one of the most frightful engines of cruelty that was in use under the Slave System: That in this loathsome dungeon, the sick people were closely imprisoned along with those who were expressly put in for punishment—that men and women, boys and girls, were indiscriminately huddled together night and day; and, that neither the sick nor the delinquents were provided with any sort of sustenance during their imprisonment.

In consequence of this complaint, Lord Sligo directed the magistrates to visit the property, to inspect the place, and report to him all the particulars. The proprietor, Mr. Giles, aware of their coming, procured the attendance of two of his friends, and two of his retainers, and on the arrival of the magistrates, he, in the coolest manner, poured out a volley of the coarsest abuse and insult to which tongue could give utterance. “They were unfit to hold his majesty’s

commission ;" "The grand jury (of which, by the way, Giles was foreman) had declared them *intolerable nuisances* ;" "That the planters got nothing but injustice from their hands ;" "that they encouraged insubordination, and were teaching the negroes rebellion ;" "that they held secret meetings with the apprentices, to plot the ruin and destruction of the planter," &c.

This, certainly, is a precious specimen of what an upright magistrate has to endure in Jamaica !

It appears from the memoranda before us, that the magistrates sat perfectly quiet under the torrent of slanderous invective. They clearly foresaw that the particular duty on which they had come, would inevitably give rise to a scene which would require the greatest coolness and self-possession. Two or three cases were then adjudicated, and Giles was convicted and fined, for a brutal assault *on a sick woman* ! Towards the close of the day the whole body of apprentices came into court, to prefer their complaints for various wrongs and injuries ; the lateness of the hour, however, prevented the inquiry being gone into.

At the close of the proceedings, the magistrates intimated to Mr. Giles, that they wished to inspect his hospital and dungeon, against which, serious complaints had been made ; and that they had the specific orders of the governor to perform this duty : Mr. Giles, starting up, vehemently exclaimed, "Then I will obstruct you !" On their desiring a bye-stander to show them the place, Giles observed, "Oh, I will show it you myself. On reaching the cellar door, under the house, he pointed out that, as the entrance, but on Dr. Palmer attempting to walk in, Giles laid hold of him and dashed him back with great violence. He fell against Mr. Harris, who, on recovering his equilibrium, also attempted to walk forward. Giles again rushed on the magistrates, and with all his force hurled them back. At the same moment Mrs. Giles came behind the magistrates, and with a measuring rod eight feet long, in both hands, aimed a desperate blow at the head of Dr. Palmer, which his servant rushed forward and averted. Giles's friends were present, but took no active part.

We pause to observe, that bills of indictment were afterwards preferred in the Supreme Court against Giles, for obstructing the magistrates in the execution of their duty, and for the assault on their persons. The grand jury, as might be expected, *ignored the bills*, and there can be little doubt, that if, instead of being assaulted, these two magistrates had actually lost their lives on this occasion, the result would have been precisely the same.

It is a painful feature in the present state of colonial society, that not the slightest reliance can be placed on the

moral obligation of an oath, in any matter involving or arising out of the present political and social institutions of that country. It is a curious fact also, that after the decision of the grand jury, Giles, flushed with his recent triumph, actually caused these magistrates to be served with notice of action at his suit, for "trespass on his premises, assault, false imprisonment, riot," and what not; and most likely heavy damages will be awarded on the case!

But to return. At the time Mr. and Mrs. Giles were assaulting these magistrates, a female apprentice who was present screamed out, "They are going to murder the magistrates." In an instant, all the apprentices who had a few minutes before left the premises, rushed back screaming and yelling in the most frightful manner; for some time it was impossible to control the excitement of the people. They declared that their master and his friends had been continually holding out threats of personal violence against the magistrates; that only a short time before, Giles had openly declared to the apprentices of a neighbouring estate, that "in less than three weeks these bloody ——— Palmer and Harris, should have a rope round their necks!" and they were quite sure there was a fixed determination to perpetrate some outrage on them, as they said, "All because magistrates try to get justice for poor negro." What added to the exasperation of the moment was, that one of Giles's retainers, a ferocious man of colour, loudly declared, that if he had a pistol in his hand, "he would blow that rascal Palmer's brains out."

The magistrates at length rode off, and called the people to follow them a short distance. They then addressed them, and directed them to return quietly to their duties, to be particularly guarded in their conduct, and attentive to their work; and on no account to make the least noise or disturbance, either in the field or in their houses. They promised implicit obedience, and they faithfully kept their promise.

A short distance below Giles's house, they met a body of apprentices rushing up from the neighbouring estate to their protection. They had heard the alarming cries of "murder;" and from the previous threats held out by their overseer and Giles, they were convinced that some dreadful mischief was befalling the magistrates. They, of course, turned back immediately, giving expression to their warm but somewhat noisy demonstrations of pleasure, at seeing the magistrates safe.

This act of rushing up to protect the magistrates from being murdered—for such was the impression of the Palm apprentices—was openly denounced by the planters as a positive act of rebellion; and the whole affair was quoted by the

press as an unequivocal proof that an insurrectionary spirit prevailed in the district!

The whole of this case conveys to our mind the strong and painful impression, that it is utterly impossible for any special justice to do his duty honestly, and give efficient protection to the rights of the negro, except at the peril of his life.

The next exciting cause which requires to be mentioned, occurred with Mr. Harris. He was holding a court on Palm Estate, the overseer brought a charge against a man, who was then sick in hospital. The charge was for deficiency of work immediately prior to his coming into hospital. It appears that the man had been ailing for some time, but disliking *hospital restraint*, kept at his work, in hopes of recovering without medical treatment. During this struggle with his illness, he was unable to keep pace with the rest of the gang at work. He had sometimes to lie down in the field from exhaustion; and getting worse and worse every day, he was obliged at length to seek for medical relief. Hence arose the charge of deficiency of work.

Mr. Harris dismissed the complaint, and remarked on the extreme unfairness of wanting to punish a man who had wrought in the field as long as he could stand upon his legs! To dismiss a planter's complaint against an apprentice, is always an unpardonable offence; it is "encouraging idleness and insubordination." In this case the overseer lost all temper, and declared that, as he "got nothing but injustice, he would bring no more complaints!"

At this time a woman came forward to lodge a complaint, of being locked up in the hospital, on account of having had a recent miscarriage, from which, she had not sufficiently recovered to return to her work; that she was confined unnecessarily, as she was not under medical treatment; that she was allowed no support while so confined; and that she was prevented resorting to the usual remedies which her delicate situation required! Whilst she was making this statement, the overseer, unable to control his anger, laid hold of her, and violently pushed her out of doors, saying, "You may go elsewhere and make your complaint; I will not be tried in my own house." Mr. Harris called the estates' constable to preserve order, and recalled the woman to conclude her statement, which he was committing to paper; and provoked for the moment, by the contemptuous treatment of the overseer, he said to the woman, "Go on with your complaint; don't be afraid; the time has gone by when your overseer could lay you down and lacerate your flesh at his pleasure, or could lock you up in the hot-house, and half starve you!" Whether this indignant, perhaps intemperate

reproof, was altogether unmerited, must be left to the judgment of the reader.

But the gist of Mr. Harris' offence lay in his directing the estates' constables, to stand by and preserve order! The apprentices to keep the overseer in order! this, of course, was a most monstrous and unpardonable innovation on the purity of colonial despotism.

On another occasion, Mr. Harris incautiously gave deep offence, by stating at a planter's dinner table, that hitherto he had been leaning to the side of the planters, but in future he should turn over a new leaf; That he would turn "a second Dr. Palmer, or even a second Buxton:" This idle expression was afterwards ostentatiously thrust forward, on the oaths of three planters, as a grave and serious complaint!

A most scandalous and inhuman practice it seems prevailed amongst the planters, of putting apprentices whom *they* deemed to have committed any offence, into the dungeon, or dark hole, as it is called, and keeping them there for twenty-four hours without food or drink, and very commonly in wet clothes. The magistrates determined to put down this practice, and fined several persons for acting in this manner.

On the 4th August, a gang of apprentices belonging to Hopewell plantation, were engaged in repairing the public road. In the course of the day, the overseer, Mr. Dunne, came to inspect their work. Some of them asked him, if he intended to give them a day, in lieu of the 1st August, of which he had deprived them; He pronounced this to be *insolence*; and on their returning to the property in the evening he ordered the whole gang to be locked up in the dungeon. Twenty apprentices male and female, were thus placed in confinement: It had been raining all the afternoon; they had tasted nothing since breakfast, and were kept in that painful condition—hungry, wet, and cold, till the following morning! One of the head men whose wife was so confined, prepared some supper at night, and tried to get it conveyed to his wife in the dungeon. He was detected by the overseer, who had him seized, and thrust into the place along with the rest, for daring to interfere with his discipline.

The next morning, when released, the whole gang, it being their own day, determined to seek out the magistrates to obtain redress for the wanton and cruel wrong they had sustained. No sooner did the overseer learn the errand they had gone on, than he ordered his book-keeper to accompany him to the negro houses, where they shot all the apprentices' hogs and fowls that they could discover. They destroyed no less than eight hogs and a number of fowls in this manner. A few days afterwards Dr. Palmer visited the property,

and had the case brought before him, and fined the overseer £23. On the decision being pronounced, Mr. Dunne turned to the people and sneeringly observed, "There are twelve barrels of herrings in the store which I will sell, and they will just do to pay the fine!" These herrings had been sent out from home for the apprentices, and *they had paid for them*, by extra labour, under a written contract: Whether the overseer carried his threat into execution or not does not appear. A few minutes after the magistrate left the estate, Mr. Dunne ordered his book-keeper to shoot another of the apprentices' hogs. This was done:—the injured party carried the dead hog to the overseer's door, and complained bitterly of the injury so wantonly inflicted on him. Mr. Dunne offended with the man's complaints came out with a heavy bludgeon, and struck him a severe blow on the head, and then presented a loaded pistol at him, and threatened that if he did not instantly "walk off with his hog" he would blow his brains out! For this assault he was fined and bound over, with two sureties, to keep the peace. Yet this person had the reckless effrontery to complain that the magistrate on this occasion of his visiting Hopewell, had thrown the people into a state of "*demi-rebellion*."

Without a word of comment on this case we now proceed to the details of one which is of much greater interest, and of more general importance.

On Berwick estate, the property of Sir Alexander Grant, the apprentices had been treated with peculiar harshness. Out of one hundred and forty of them not more than five or six had any provision grounds whatsoever. A few had small gardens close to their houses, but quite inadequate to their support. The greater part of the gang were in a state bordering on actual starvation; yet, notwithstanding their state of physical weakness, the overseer, it appears, had been continually preferring charges against them for deficiency of labour, and on these charges obtaining mulcts of time, which should have been devoted by the apprentices to obtaining the common necessities of life. On such charges they had been sentenced by the Special Magistrate to forfeit no less than eighteen Saturdays, in the course of the year 1835; and as Saturday was the only day allowed under the eight hours' system, for them to seek for food, they were thus deprived for one-third of the year, of the only means they had of providing for their own support. The consequences may readily be imagined. The people were in great distress—they were meager and care-worn, with a look of sullen gloom and discontent.

The punishments inflicted on the gang by flogging, the treadmill, and penal gang, were described as having been extremely numerous, and excessively severe. The regula-

tions of the estate had been of the most stringent character. The eight hours' system had of course been rigidly enforced—they had been deprived of all the allowances of slavery; and field-cooks, water-carriers, and nurses had been withdrawn. In the arrangements for extra labour in taking off the crop in 1835, the people had been induced, by means which could not be honest, to accede to terms, by which they were bound down to give twenty hours of extra labour per week—that is, equal to two and a half working days, for the sum of one shilling and a halfpenny currency ($8\frac{1}{2}$ d. sterling), being 5s. $2\frac{1}{2}$ d. (or five-sixths) below the common market price of labour! Thus every individual of the gang was systematically defrauded of 5s. $2\frac{1}{2}$ d. per week during crop, which usually lasts from four to five months in the year. So sensible were the people of the advantage which had been taken of their ignorance, that the following year they absolutely refused to enter into any terms for money payments, and said, that they would rather give the required amount of extra labour, for the common allowances of slavery! The arrangement was finally so fixed, and the people last year gave labour to the amount of 6s. 3d. *for six salt herrings per week!* .

We pass over a number of minor evils, and come to one of serious magnitude—the hospital regulations. The sick, on presenting themselves for medical relief, were habitually thrust into a comfortless building, and males and females were locked up in separate rooms. There they were kept, shut out from intercourse with their friends, until sufficiently recovered to return to work. They were not supported by the estate whilst so imprisoned: their relatives or friends supplied them with food, if they had any. The rooms the sick were confined in were destitute of a single article of furniture; “there were the four bare walls and the floor.” Up to the end of 1835, there was no privy attached to the premises, and they were not let out for the common purposes of nature. The consequence was, that for such purposes, they were compelled to relieve themselves on the floor, in a corner of the room, and to clean it out when the doors were opened. The condition of persons under the influence of medicine may easily be imagined. Within the last twelve months however, this barbarous and disgusting practice has been obviated, by a proper convenience being placed in each room. In every other respect the regulations continue unaltered. Morning and evening the doors of the two rooms were opened, and the sick allowed to assemble in the middle of the apartment, where there was a fire-place—the outer door of the building being still locked. They were allowed half an hour to cook their victuals, and dress their sores; and if at the end of the half hour, when the

book-keeper returned to lock them up, he found any pots on the fire, the people not having finished cooking, he would kick the pots off, and throw water on the fire, and force them into their separate apartments! Some were confined for months in this state of cheerless misery; no hospital attendant was allowed; the book-keeper administered medicine, and took care to see them regularly locked up. Such was the condition and treatment of the apprentices on Berwick estate.

On the 20th of August last, Messrs. Palmer and Harris visited the estate. The overseer brought charges against the gang for deficiency of labour, and produced two of his friends, neighbouring planters, to give their *opinions* as to the quantity of labour that should have been performed. Evidence was in this case taken in defence (not by any means a general practice it appears with Special Magistrates); and it was shown that the fields were excessively foul—that the cleanest work was expected—that heavy rains had fallen for one or two hours every day, impeding effective labour—and that the gang were in a state of great weakness for the want of proper food. These were points which the grasping manager considered that the magistrates had no right to take into account; they were bound to award the full amount of deficiency, as fixed by the *opinions* of his brother managers, without any reference to the difficulties and impediments which might prevent the fulfilment of the task, so *very impartially* rated by the planters. The overseer claimed an award of compensatory labour, equal to two days and a half from each of the gang. The magistrates awarded equal to one day, that is, two hours' extra labour for four days. This decision was afterwards put forward as a prominent proof of *injustice towards the planters!*

With due deference to the two magistrates, we think they did commit *injustice* in this case, but it was injustice to the apprentices. After reading over the evidence, we cannot see that any award of compensatory labour should have been given—the complaint ought to have been dismissed.

The people made a multitude of complaints as to their general treatment. If they were dying of thirst, they could not get a drink of water in the field. The magistrates desired the overseer to allow them water-carriers; he replied, that would depend on their behaviour. The people next complained that in the heaviest rain the overseer never permitted them to leave their row, although little or no effective work could be performed in such weather; and that mothers, with infants tied to their backs, were obliged to stand in the field drenched to the skin. They alleged that in the heaviest rain that ever fell, the overseer had never, on a single occasion, permitted them to leave the field.

Finding it useless to appeal to the good sense or feeling of the overseer, Dr. Palmer said to the apprentices, "In heavy rain you will seek the nearest shelter." The overseer sneeringly observed, "That must be in the case of a hurricane!" The apprentices called out, "Massa, you no hear what Busha say, he won't make us come out of rain." Dr. Palmer replied, "Can your overseer tie your feet in the field? You are quite safe in obeying a magistrate's order."

A portion of the gang complained that no allowance of time was made for their turning out to work in the morning; that they did not live on the estate, but on an adjoining settlement, a mile distant from their works, and between two and three miles from the more distant fields. The magistrates directed the overseer to allow those who did not reside on Berwick, time, at the rate of one hour for three miles, to go to their work. He warmly disputed the point; when Mr. Harris observed that, by the strict rule of equity, every one of the apprentices were entitled to take their master's time to walk to the field. This remark aroused the overseer's intemperance and impertinence to the highest pitch. To put an end to any altercation, Dr. Palmer observed, to the overseer, that Mr. Harris's statement was quite correct; but that, so long as fair play was shown to the apprentices, they had no wish to enforce the strict letter of the law; that it was their desire that the planter should have his full measure of effective labours secured, provided fair and reasonable allowance was made for particular circumstances. Instead of this explanation being taken in good part, Mr. Gordon, the overseer, burst out anew. He would not allow any thing of the sort; he would make them be at their work at the time appointed; that the law gave him eight hours' labour in the field, and said nothing about giving the people time to go to their work. Mr. Harris then called out, "If that is the case, the people will be quite right not to leave their houses till the last shell"—(that is the signal for commencing work)—"they must turn the keys in their doors just as the shell blows, and go straight to the field."

This terminated the proceedings of that day, but we may as well follow out this case by detailing the incidents which arose out of the foregoing circumstances.

The gang, according to the directions of Mr. Harris, commenced from that date to go to their work the moment the last shell was blown. The overseer grew frantic, and described the apprentices as being in a state of the highest insubordination. At this period a change of districts took place; Dr. Palmer took charge of that which Mr. Harris had occupied, and a Mr. Cooper succeeded Dr. Palmer. The overseer of Berwick sent repeatedly for Mr. Cooper "to put the gang to rights." At length he visited the estate—the gang

were called up ; he read them a long lecture on their duties, and explained *his views* of the Abolition Act. He would allow no time to the people to turn out ; every one must be at his work at the last shell blow. Had Mr. Cooper stopped here, it might have been well ; but, in order to complete the triumph of the overseer, and to fill up the measure of the apprentices' discontent and disgust, he sentenced the entire gang to forfeit four of their own days, for having, in compliance with the direction of the magistrates, walked to the field every morning in their master's time instead of their own.

It appears that they expressed their feelings afterwards, when at work in the field, in very decisive terms. " They would not have Mr. Cooper's law ; they had been told the law by Dr. Palmer and by Mr. Harris, and by that they would go. What right had one magistrate to make them pay days for doing what another magistrate had told them to do," &c. In fact, Mr. Cooper, from the first day, lost the respect and confidence of the whole of the Berwick apprentices. When the day arrived for the people to pay the first penalty, so unjustly imposed, the greater part of the gang refused to turn out, and the fifteen that did turn out, only worked half the day, and then left the field.

This then was the only act of insubordination, if even this could be so termed, that occurred in the parish of St. Thomas-in-the-Vale. Mr. Cooper was again called in, and by making several severe examples by flogging, and the tread-mill, he rather increased the disorder and discontent of the gang, and certainly did not restore harmony between them and the overseer, nor add to the respectability or moral influence of his own official character.

The foregoing facts afforded the grounds for a representation to the governor, Sir Lionel Smith, to the effect that the apprentices on Berwick estate were on the very verge of '*open rebellion.*'"

We come now to speak of the last incident to which reference requires to be made in illustration of the excited feelings of the planters, and the cause thereof.

It appears that Dr. Palmer had repeatedly been told by apprentices from different parts of the parish, that the white people had determined to do him some bodily injury, if not destroy his life. He looked on these threats as transient ebullitions of passion, scarcely worthy of notice, but appears to have made a point of bringing them under the notice of Lord Sligo.

A few days after Lord Sligo's departure from the island, viz., on Sunday the 4th of September, several of Mr. Giles's apprentices, from Recess, came to Dr. Palmer's residence, in a state of considerable alarm. They declared they could no

no longer remain on Recess—that their lives were every moment in danger! that Giles walked about the negro houses, and came to the field while they were at work, armed with pistols and a cutlass, using the most ferocious and alarming threats; that a few days previously he went by stealth to the spot where two sawyers were at work in the woods, that he brandished his cutlass over one of them, and told him, that ere many days he would have his head off. They went on to declare, that their master was striving to drive them to desperation. He had killed their hogs and their fowls—had cut down their garden-fences, and destroyed their gardens! All this they had borne without a murmur; but that the occurrences of this day had terrified them to such a degree that they could not think of returning home until their master was placed under some restraint.

It appears that early in the morning of that day (*Sunday*, be it remembered) the apprentices were at prayer, in their meeting-house; that they were alarmed by hearing a gun fired off in the negro houses, and on looking out they saw Giles and one of his dependents armed as usual. They had just shot one of the apprentices' hogs, and were then coming towards the meeting house. The apprentices immediately broke up the prayer-meeting, and dispersed themselves. Mr. Giles entered the house, and minutely inspected every part of the building, and asked a number of suspicious questions of the man who lived there. He desired to know if there would be another prayer-meeting that night—what people attended there—where Lewis Grant, the class-reader, slept, &c.; that he afterwards went to another part of the negro village, and shot another hog close to its owner's door, and then retired with his attendant to a short distance, and held a long consultation, at the conclusion of which, he called for more powder and shot, but immediately countermanded the order, saying, "Let it stand till by and by;" that Giles's head constable and confidential man, told the complainants that it was well that none of them had spoken to their master when he went to the meeting-house, as he was quite ready for them, and would to a certainty have fired amongst them;—that he (the driver) had overheard Mr. and Mrs. Giles in conversation the evening before; that Mr. Giles said, "If the apprentices would not break out into rebellion of their own accord, the gentlemen of the parish were determined to drive them into it; that he (Giles) intended to carry his wife and family down to Kingston to be out of harm's way, and he would then return and begin the work; that the way they intended to commence was as follows: The planters would assemble in the court-house on Saturday, when Dr. Palmer was holding his court; that they would place themselves three or four deep, close to the loose

bar across the room ; that those in front would then begin to make "*a racket*," and insult the magistrate, who would, no doubt, order the police constables to turn them out ; that those behind would not permit it, and a struggle would ensue during which, the party behind would make a violent rush forward, by which the rail would be thrown down, and the whole body, would, *as if by accident*, fall upon the magistrate, when they would find means of despatching him ; that the apprentices would, of course, rush to his protection, and then the war would begin.

Such is an outline of the statement laid before Dr. Palmer, by the Recess apprentices ; and, corroborated as it was by well authenticated reports of a similar tendency, from various quarters, he deemed it high time to refer the matter to higher authority. He desired the apprentices to follow him to Spanish Town the following day. His first application was to the Executive. Sir Lionel Smith was not to be seen, being laid up with the gout ; Mr. Darling, the secretary, could do nothing, but referred him to the Attorney General ; the attorney General was not in Spanish Town. In this dilemma, he applied to Mr. Harvey, a solicitor of considerable talent, and of liberal and independent principles. The case of these poor people was placed in Mr. Harvey's hands. Their depositions were taken down, and the first step was, to get Mr. Giles bound over to keep the peace. This was required to be done by a magistrate of the parish ; there were none in Spanish Town, even if they would have been willing to act, which is more than doubtful. Mr. Harvey applied to two of the assistant judges of the supreme court, the Hons. John Lunan and Robert Allwood, who had jurisdiction over the whole island. They both pointedly refused to issue a peace warrant, or to have any thing to do with the affair, and Mr. Lunan further declared that he should order the police to apprehend any of the apprentices whom they might see in the town, *as runaways*, although confessedly there to seek legal protection from personal danger !

Accordingly, the next morning, Mr. Harvey's office was surrounded by a large body of armed police, stationed there by order of Lunan, for the purpose of seizing on the apprentices who were in Mr. Harvey's yard waiting to have their business settled. The police were not withdrawn, until a strong remonstrance had been sent to the Executive. Mr. Harvey sent off an express to Sir. Joshua Rowe, the chief justice, requesting him to grant the required warrant. He also refused ; and, finally, the Executive was actually obliged to create a new magistrate for the precinct of St. Thomas-in-the-Vale, ere necessary steps could be taken to place Mr. Giles under legal restraint. Mr. Cooper was

sworn in as a local magistrate on Monday the 12th ; and within one hour after his appointment, took the deposition of the apprentices, and issued the necessary warrant against Giles, who eventually was bound over in due form.

It will scarcely be credible, that Mr. Harvey, simply for acting in his professional capacity on behalf of these poor people, became exposed to the most extraordinary and unheard-of persecution at the instance of Giles. He was summoned before four of the local magistrates of Spanish Town, and there charged, under the 20th clause of the Act in Aid, with clandestinely harbouring and concealing nineteen of Mr. Giles's *runaway* apprentices !” Mr. Harvey's pleas in bar, on the ground of being a solicitor of the courts, and engaged in his lawful calling, &c., were contemptuously overruled ; and these four magistrates, two of whom are members of the House of Assembly, proceeded to sentence Mr. Harvey to pay a fine to Mr. Giles, of no less than £199. 10s., or to suffer imprisonment in the *House of Correction for the space of six months !*” They generously allowed him two hours' grace to pay the fine. He refused to do so ; and it was only when making out the commitment, that the party discovered, that, owing to some technical errors in the framing of the arbitrary clause which they had acting under, they could not carry into effect their truly infamous designs.

Mr. Harvey subsequently applied for a writ of *certiorari*, to remove the proceeding into the Supreme Court, and it was to come on for argument in the ensuing session.

The Abolition Act gives the right to the apprentices to seek redress in the superior courts of judicature ; but the local authorities not only openly deny this right, but, to prevent any future attempt at the exercise of such privilege, they seek to crush the solicitor who has the temerity to engage in such a cause, by sentencing him to pay an enormous fine, or undergo, not merely the privations of his liberty, but all the horrid discipline of a Jamaica House of Correction.

All these things occurred immediately under the eye of the Executive ; but it does not appear that the magistrates who committed this infamous outrage on law and justice, were ever visited with the slightest expression of Sir Lionel Smith's disapprobation !

Singularly enough, the incidents recounted in the foregoing pages, were the main grounds on which the planters of St. Thomas-in-the-Vale framed grave and solemn charges against the Special Justices for mal-administration of the Abolition law.

But so long as Lord Sligo remained at the head of the government, the planters protested, petitioned, and plotted

in vain. But no sooner was it understood that Sir Lionel Smith was to assume the government than the planters rallied their forces for the onslaught, with redoubled vigour. A public meeting was called, and a memorial to the expected governor was drawn up and signed by seventy-five persons, comprising nearly the whole of the white inhabitants of the parish, praying for the dismissal of the two obnoxious Special Magistrates.

We will take a glance at a single item of this memorial: The planters declare that up to the middle of 1836, the period of Dr. Palmer's arrival in the district, the apprenticeship system had been working most satisfactorily and beneficially for the interest of the planters, and that the apprentice population had uniformly been "*obedient, attentive, and assiduous in their avocations.*"

Now we have here the planters' voluntary testimony to the orderly and correct conduct of the labouring population. What, then, must be thought of the frightful amount of coercion which had been inflicted on these well-behaved apprentices, during the two years that the system had been in operation? Let any one refer to the records of the House of Correction, the dreadful lists of corporal punishment, the committals to the murderous tread-mill, the penal gang and solitary dungeons; let reference also be made to the Special Magistrates' reports, showing the vast number of charges preferred by the planters against these "orderly and obedient apprentices," for "insubordination, insolence, disobedience of orders, neglect of duty, absence, and various other offences;" but above all, let reference be made to the extraordinary number of accusations brought against *entire gangs* for deficiency of labour, and observe the mulcts of time granted on those charges, in many instances depriving the poor people of one half the scanty pittance of time allowed them by law for procuring food for themselves and families; and yet these people were confessedly "attentive and assiduous in their avocations."

One of two points must be conceded on these premises: either the negro population, in spite of the numerous examples made, had been obstinately pursuing one undeviating course of improper conduct, which justified such general and severe coercion; or, the vast mass of charges preferred against them by their masters were fraudulent and unfounded. Taking the planters' own evidence on the subject, the latter position is the correct one. The people had been conducting themselves throughout in the most exemplary manner, and had, at the same time, been cruelly subjected to all the severe penalties of misconduct!

Immediately after the arrival of Sir Lionel Smith in the

island, he required the attendance of Dr. Palmer at the government house. We find by Dr. Palmer's memoranda, that during this interview his Excellency intimated that his policy was *conciliation*. He talked of the Jamaica laws being very bad; that they left a great deal of power in the master's hands, which he would be sure to use to the injury of the apprentices, unless he were conciliated; that on this account he wished the special magistrates to keep on good terms with the planters; that he did not wish them to neglect their duty, but at the same time to do all in their power to conciliate the gentlemen of the country! Undoubtedly, according to the doctrine here laid down, Sir Lionel Smith was right, although we are not aware of any clause in the Imperial Abolition Act, which enjoins that the master should be conciliated at the expense of the apprentice.

On this occasion we find that Dr. Palmer suggested to the governor that a commission should be issued in order to investigate into the various matters of complaint in his district. The suggestion was assented to, and his Excellency appointed two Special Magistrates and two local justices, *both managers of estates*, from an adjoining parish, to act as commissioners.

In the latter end of September, the commissioners appointed assembled at the Court House at Rodney Hall, and opened the proceedings by recording all the complaints which the planters had to bring against the Special Justices. We do not perceive that the magistrates took much pains to refute the statements put forward; in fact, they required no refutation; they carried with them their own antidote. Evidence was then brought forward by the magistrates, or rather by Dr. Palmer, for it appears he stood alone on the occasion, to prove the real state of the parish, the condition of the apprentices, the conduct of their masters, and the extreme severity of the treatment to which the entire body of the apprentice population had long been subjected.

It would be out of the question for us to attempt even the briefest outline of the voluminous evidence recorded in the course of these proceedings; but we are satisfied that the whole of the facts there brought to light will prove a most invaluable record for the Parliamentary committee, and will throw a greater flood of light on the practical working of the Abolition Act, than could be obtained by the examination of witnesses in this country in the course of a twelvemonth.

We cannot however refrain from selecting two or three specimens of the planters' complaints against the special magistrates. They are particularly instructive, as ex-

habiting what the planters took to be *injustice*, and in fact showing what are the general notions in Jamaica of the principles of the Abolition Act.

The first case upon the record is a complaint of an overseer against Mr. Harris, the special magistrate, for having written a note to him, asserting that a free man who was married to one of the female apprentices on the estate, was entitled to visit his wife's house upon that estate; he complained of his note as being an unjust and illegal interference with his rights and authority as overseer of that estate. In the course of this overseer's evidence he mentioned, in support of his right for excluding the husband from the wife's company, that in the month of February previously, he had sent to this woman's house, and had this free husband taken into custody, and forthwith conveyed before two local justices, and there charged with being a vagrant and a trespasser! And these two upright and conscientious magistrates actually sentenced this man for the crime of being found in his wife's house, *to one month's hard labour in the work-house*. The man underwent this sentence, working in the penal gang with, of course, the usual iron ornaments of chains and collars! If this be the sort of liberty that is granted in Jamaica to free men at the present day, what can we expect from the liberated apprentices after the year 1840? We confess it creates in our minds the most fearful forebodings of future mischief!

The next complaint against the special magistrate was for neglecting or refusing to punish an apprentice, who was absent from duty on the plea of sickness, the overseer considered that such plea was unfounded: Mr. Harris, although no doctor, took it into his head that the man looked *very sick*, and instead of ordering him the punishment demanded by the overseer, he ordered him to the hospital, there to receive proper care and attention! This was the length and breadth of the complaint of Mr. Duncan, the overseer of Tulloch estate, in the case of Robert Welsh!

Another gentleman brings forward a grave and serious charge against Dr. Palmer, for having written a note to him, the complainant, requiring him to give a proper allowance of food to his starving apprentices, until such time as their grounds were in a proper condition to yield them support.

We find another overseer making a complaint against Dr. Palmer, on account of having fined him £4 for a brutal assault on a poor sick old man, whom it appears, after assaulting and threatening his life with a loaded pistol, he dragged along the road, put in irons, and locked up in

a dungeon ! We know not what these planters would call justice, if this be injustice.

During the time that this commission was sitting, the newspaper press was put in requisition for the purpose of rousing public excitement to the highest pitch. The circumstance of a commission being appointed to inquire into the state of the parish, would no doubt create a presumption in the minds of many, that a disturbance of the peace was to be apprehended. In order to support the impression it appears that the most mischievous falsehoods were put into circulation, representing the negro population as on the very verge of open rebellion. The object in view was no doubt to terrify the Executive, and in this it would appear that they succeeded but too well. His Excellency, Sir Lionel Smith, gave orders for a detachment of troops to be ready to march to St. Thomas-in-the-Vale at a moment's warning ; and this, too, at a time when the poor apprentices were in a state of profound quietude, meekly submitting to every injury and outrage that were put in practice to provoke resistance.

Had Sir Lionel Smith persevered in his intentions, mark the consequences that would in all probability have ensued ! —the poor negroes no doubt would have been thrown into a state of terror, and would have deserted their homes and fled to the woods for safety—this to a moral certainty would have been construed into a positive act of "*rebellion*," and we should, in all probability, have had a renewal of the bloodshed and massacres, and all the frightful incidents which marked the fatal tragedy of 1832 !

At this time the Supreme Court was in session, and the grand jury at the close of their sitting made a singular presentment to the court, in which they denounced certain unpopular Special Justices, in the most unqualified terms of condemnation : Sir Joshua Rowe, the chief justice, in his reply to this presentment, also took occasion in general terms to cast the most injurious imputations on such portion of the magistracy as had incurred the displeasure of the planters.

In the midst of this general excitement, which appears indeed to have affected all parties in the island, the commissioners of inquiry closed their labours, and three days afterwards laid before the governor an authenticated copy of their proceedings, and a statement of the general conclusions at which they had arrived upon the premises. We will take a slight glance at this extraordinary report.

The commissioners first indulge in a few loose and slovenly remarks on certain parts of the planters' evidence—such remarks not being distinguished by strict impartiality, or even accuracy. They next offer some not very sage

reflections on the absolute necessity of the Special Magistrates conciliating those placed in authority over the apprentice labourers! They next tell us that explaining to the apprentice what are his legal rights cannot fail to destroy all authority and control of the overseer! Further on, we find them speaking of Dr. Palmer's letter to a planter requesting him to feed his starving apprentices; and declaring that such letter appears to the commissioners to have encouraged the apprentice labourers in their refusal to do their work, *under the plea of not having provisions*, and that a serious loss of labour to the planter was the consequence! They next find fault with the general lenity of Dr. Palmer's sentences, and decidedly reprobate his practice of not awarding repayment of time to the master to a greater extent than the master had lost! And, finally, the commissioners wind up their report in the following remarkable words:

"Having been called on to report and give an opinion on the administration of the law by the Special Justices of St. Thomas-in-the-Vale, we must observe that Special Justice Palmer has administered the law in the spirit of the English Abolition Act; that in his administration of the law he has adapted it rather to the comprehension of free men than to the understanding of apprenticed labourers; and that the present state of St. Thomas-in-the-Vale is to be attributed to such a mode of administering the Abolition Law!"

This singular report is dated the 22nd of October last. On the 24th, an official letter was issued from government house to Dr. Palmer, in which Sir Lionel Smith speaks of Dr. Palmer's "*perverse administration of the law*," declaring that his remaining in the magistracy is "*incompatible with the tranquillity of the island*," and therefore suspends him in the king's name from active duty until His Majesty's pleasure could be known.

We have perused this letter with mingled feelings of pain and surprise, and whether we revert to the inequitable character of the decree itself, or to the unmeasured harshness of the language in which it is conveyed, we conceive it reflects little credit either on the good sense or good feeling of Sir Lionel Smith.

About a week after the suspension of Dr. Palmer, the House of Assembly met, and Sir Lionel Smith, in his opening speech, denounced the conduct of two or three Special Justices for having created irritation among the planters, "*which*," he goes on to say, "*has in many instances provoked more severity and harshness towards the labourers than ever existed in slavery!*"

The House of Assembly, in their address to the Governor, distinctly admit such to be the fact. We have, then, the

clearest proof that such is the state of the law in Jamaica, that the planter has it in his power to exercise more severity and harshness towards the labourers than was usually practised during slavery! Is this a state of things that ought to be permitted to exist?

There can be no doubt that Sir Lionel Smith intended this remark to apply almost exclusively to Dr. Palmer. The only fault that can be found with His Excellency's statement is, that he has mistaken the cause for the effect. It was evidently the attempt to check the cruelties he refers to, that gave rise to the irritation, not the irritation that caused the cruelty.

Up to the last dates from Jamaica, it would appear that every suggestion offered by the government for the correction of abuses has been scornfully rejected by the House of Assembly. This result might have been anticipated. Past experience has uniformly shown that it is utterly hopeless to depend in the slightest degree on the integrity or good faith of the Jamaica House of Assembly. It is worse than folly to look to them for any amendment. Through a succession of faulty measures, more faultily administered, they have been enabled to retain a large share of the despotic power they formerly enjoyed. To this power they seem tenaciously to cling, and to grasp daily at its extension, and not one atom of that power will they ever by their own act and deed be induced to surrender.

But the most extraordinary feature in the whole of this affair is, that the Colonial Office have deemed it expedient to confirm the very strange decision of Sir Lionel Smith, by dismissing Dr. Palmer from his office of special justice, for the offence of having administered the law according to the spirit of the Imperial Act.

We have before us copies of the correspondence between Dr. Palmer and the Colonial office touching this affair. But as the whole of these papers are about to be laid on the Table of the House of Commons, we purposely avoid for the present offering the slightest comment on their contents.

We cannot, however, refrain from expressing our strong apprehension that the example which has been set by His Majesty's government thus consenting to the dismissal of Dr. Palmer on such grounds must be fatal to the independence of the remainder of the Special Magistrates in Jamaica. If a magistrate is to be dismissed merely as a means of appeasing the clamour of the planters, it of course holds out a direct intimation to those who remain in office so to fulfil their duties as to avoid giving the smallest offence to the apprentices' masters.

The consequences must be obvious—it becomes the

interest of the magistrate to seek the favour of one party at the expense of the other,—to conciliate the strong at the expense of the weak ; thus the despotism of the planter is perpetuated, and the rights of the negro are trampled to the dust.

On a calm and dispassionate consideration of all the facts which have come to our knowledge, not only with reference to Jamaica, but the whole of our large colonies, we are bound to declare that our confidence is utterly destroyed ; that we entertain not the remotest hope of amendment in the condition of the suffering negro, whilst any modification of the present pernicious system is permitted to exist ; and that on these grounds we conceive it the sacred duty of every good man, of whatever class, or rank, or shade of political opinion, to unite in the most vigorous efforts to break the last link in the chain of domestic slavery, and to give immediate and unconditional liberty to the ill used and patiently enduring negro.

December 30th, 1837.

Although the previous editions of the foregoing pamphlet, published under the authority of the Anti-slavery Society, have appeared without the responsibility of any name, it must be distinctly understood, that Dr. A. L. Palmer, late Special Justice in Jamaica, who has furnished the mass of facts which are here detailed, holds himself fully responsible for their accuracy : and the circumstance of their having been already published in the Jamaica newspapers, without the slightest attempt at refutation, is of itself sufficient evidence of the entire truth of the statements.

Just Published,

A NARRATIVE OF EVENTS, SINCE THE 1ST OF AUGUST, 1834.

By JAMES WILLIAMS,

AN APPRENTICED LABOURER IN JAMAICA.

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